

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CASE NO. 22-8201-WM

UNITED STATES OF AMERICA

vs.

FREDDIE RAMON ALLEN,

Defendant.

CRIMINAL COVER SHEET

1. Did this matter originate from a matter pending in the Central Region of the United States Attorney's Office prior to August 9, 2013 (Mag. Judge Alicia Valle)? No
2. Did this matter originate from a matter pending in the Northern Region of the United States Attorney's Office prior to August 8, 2014 (Mag. Judge Shaniek Maynard)? No
3. Did this matter originate from a matter pending in the Central Region of the United States Attorney's Office prior to October 3, 2019 (Mag. Judge Jared Strauss)? No

Respectfully submitted,
JUAN ANTONIO GONZALEZ
UNITED STATES ATTORNEY

BY:



Brian D. Ralston
Assistant United States Attorney
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FILED BY KJZ D.C.

UNITED STATES DISTRICT CO

for the
Southern District of Florida**May 18, 2022**ANGELA E. NOBLE
CLERK U.S. DIST. CT.
S. D. OF FLA. - West Palm Beach

United States of America

v.

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FREDDIE RAMON ALLEN

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*Defendant(s)***CRIMINAL COMPLAINT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of May 25, 2021 in the county of Palm Beach in the
Southern District of Florida, the defendant(s) violated:*Code Section**Offense Description*

18 U.S.C. § 922(g)(1) Possession of Firearm by a Convicted Felon

This criminal complaint is based on these facts:

SEE ATTACHED AFFIDAVIT.

 Continued on the attached sheet.

Complainant's signature

Herbert E. Belga, Special Agent ATF*Printed name and title*Attested to by the Applicant in accordance with the requirements of Fed.R.Crim.P. 4.1 by Telephone-FacetimeDate: May 18, 2022

Judge's signature

City and state:

West Palm Beach, FloridaHonorable William Matthewman, Magistrate Judge*Printed name and title*

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Herbert Kyle E. Belga, being first duly sworn, hereby depose and state as follows:

INTRODUCTION

1. I am employed as a Special Agent of the Bureau of Alcohol, Tobacco, Firearms and Explosives (“ATF”) and have been since May 2021. Prior to my current position, I served in the United States Marine Corps for seven years as an Artillery Officer. I am a graduate of the Federal Law Enforcement Training Center’s Criminal Investigator Training Program as well as the ATF National Academy. As an ATF Special Agent, I have conducted and participated in investigations of a variety of federal crimes, including firearms and narcotics violations.

2. This affidavit is based upon my own personal knowledge of the facts and circumstances surrounding the investigation and information provided to me by other law enforcement officers. This affidavit does not contain all of the information known to me about this investigation, rather it includes only the information necessary to establish a finding of probable cause in support of a criminal complaint charging Freddie ALLEN (hereinafter ALLEN) with a violation of Title 18, United States Code, Section 922(g)(1).

PROBABLE CAUSE

3. On May 25, 2021, an officer from the Boynton Beach Police Department (BBPD) was conducting routine traffic enforcement in the area of Congress Avenue and Crosspoint Elementary School, in Boynton Beach, Florida, a location in the Southern District of Florida. The officer observed a vehicle travelling at a speed of 31 mph in a posted 20 mph school zone. The vehicle was a white 2004 Chevrolet Cavalier bearing a temporary tag of CYG5012 and was operated by an individual later identified as ALLEN. ALLEN was directed to stop, and the officer attempted to make contact with ALLEN. ALLEN refused to stop for the officer and a vehicle pursuit ensued. ALLEN led the BBPD officer on a pursuit

through residential neighborhoods before losing control of the Chevrolet Cavalier and stopping in the vicinity of 2300 South Congress Avenue in Boynton Beach, Florida.

4. The officer observed ALLEN exit and immediately reach back into the vehicle. The officer gave verbal commands to ALLEN to stop, but he failed to comply, running away from the vehicle and officer. ALLEN then ran back to the vehicle, reaching inside of it. ALLEN fled a second time only to again return to the vehicle. The officer observed ALLEN leaving the vehicle a third time, with black handgun in his right hand. ALLEN continued to flee from the officer until he reached a storm drain at which point, went to his knees, and threw the handgun into the storm drain. The officer was then able to take ALLEN into custody.

5. Boynton Beach Fire Rescue personnel responded to aid in the search and recovery of the pistol in the storm drain. The pistol was recovered and identified as an Astra, Model: A-75, .40 Caliber, Pistol, bearing Serial Number: 19499-95A with seven (7) rounds of 9mm ammunition. The pistol was processed for DNA by BBPD and a DNA profile was obtained. A report from Palm Beach Sheriff's Office of Forensic Sciences Division concluded “[t]he DNA profile obtained is approximately 5E23 times more likely if it originated from Freddie Allen and an unknown individual than if the DNA profile obtained originated from two unknown individuals in the population. This statistical result provides very strong support for the proposition that Freddie Allen is a contributor to the DNA profile obtained.”

6. ATF Special Agent Vincent Rubbo, who is certified as an interstate nexus expert as it pertains to the manufacturing of firearms and ammunition, was able to examine the firearm recovered from ALLEN. Special Agent Rubbo determined the Astra, Model A-75, .40 Caliber Pistol was manufactured outside of the State of Florida and therefore traveled in and affected interstate commerce.

7. A query of the National Crime Information Center (NCIC) confirmed that ALLEN was convicted of the following felony offenses:

- Battery on a Law Enforcement Officer, a third-degree felony in the State of Florida (502016CF010503AXXXMB).
- Sale of Heroin, a second-degree felony in the State of Florida (502016CF010503AXXXMB).

CONCLUSION

8. Based on the foregoing facts and my training and experience, I submit that there is probable cause to believe that on May 25, 2021, ALLEN did commit the criminal offense of possession of a firearm by a prohibited person in violation of Title 18, United States Code, Section 922(g)(1).

FURTHER YOUR AFFIANT SAYETH NAUGHT.



Herbert Kyle E. Belga
Special Agent, ATF

Sworn and attested to me by
Affiant on May 18th, 2022,
by Telephone (Facetime) per
Fed. R. Crim. P. 4(d) & 4.1



HON. WILLIAM MATTHEWMAN
UNITED STATES MAGISTRATE JUDGE

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

PENALTY SHEET

Defendant's Name: Freddie Ramon Allen

Case No: 22-8201-WM

Count #: 1

Possession of a Firearm by a Convicted Felon

18 U.S.C. § 922(g)(1)

*** Max. Penalty:** 10 years' imprisonment; \$250,000 fine; 3 years' supervised release; and a \$100 special assessment

***Refers only to possible term of incarceration, does not include possible fines, restitution, special assessments, parole terms, or forfeitures that may be applicable.**